

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6329**

**BILL NUMBER:** HB 1073

**NOTE PREPARED:** Feb 21, 2005

**BILL AMENDED:** Feb 17, 2005

**SUBJECT:** Access to Certain BMV Records.

**FIRST AUTHOR:** Rep. Lehe

**FIRST SPONSOR:**

**BILL STATUS:** 2<sup>nd</sup> Reading - 1<sup>st</sup> House

**FUNDS AFFECTED:**     **GENERAL**  
                          **X DEDICATED**  
                          **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill: (1) specifies that the Bureau of Motor Vehicles (BMV) has discretion to withhold certain medical records and evaluations regarding the ability of a driver to operate a motor vehicle safely; (2) a law enforcement agency has discretion to withhold certain items of personal information contained in the files of the law enforcement agency; (3) authorizes the BMV to conduct a reasonable investigation of a driver's continued fitness to operate a motor vehicle when the BMV has reason to believe that a licensed driver may not be able to operate safely; (4) specifies that BMV may not suspend or revoke the license of a licensed driver whose fitness to drive safely is questioned until a reasonable investigation of the driver's continued fitness has been made by the BMV; and (5) makes conforming amendments.

**Effective Date:** July 1, 2005.

**Explanation of State Expenditures:** (Revised) The bill authorizes the BMV to conduct reasonable investigations of drivers' continued fitness to operate a motor vehicle and may increase expenditures for the BMV. Currently, BMV staff conducts evaluations of drivers for the Medical Licensing Board. To the extent that the investigations required in this proposal are more in-depth and time-consuming, associated expenditures will increase. The fund affected is the Motor Vehicle Highway Account, which supports the BMV.

Part 4 may reduce the number of driver's license suspensions which occur, since a license may currently be suspended or revoked without an investigation. In CY 2003, the most recent year for which complete data are available, the BMV suspended 201,195 licenses.

Parts 1 and 2 will have no impact on the BMV or state law enforcement agencies.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** Part 2 will have no impact on local law enforcement agencies.

**Explanation of Local Revenues:**

**State Agencies Affected:** Bureau of Motor Vehicles.

**Local Agencies Affected:** Local law enforcement agencies.

**Information Sources:** BMV Driver Licensing Report for CY 2003.

**Fiscal Analyst:** James Sperlik, 317-232-9866.